

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE:  
SAMUEL VALENTIN VEGA  
EILEEN MONSERRATE ROSA

DEBTOR (S)

CASE NO. 09-06548-ESL

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT  
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$1,095.00**

**R2016 STM. \$3,000.00**

<b>TOTAL ATTORNEYS FEES THRU PLAN: \$2,574.00   Fees paid: \$1,666.00   Fees Outstanding: \$908.00</b>
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With respect to the proposed (amended) Plan dated: **8/31/2010** (Dkt 39).

Plan Base: **11,650.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Insufficiently Funded to pay 100% of §507 priority claims.[§1322(a)(2)]

- Insufficiently Funded : Fails CREDITORS' BEST INTEREST TEST [§1325(a)(4)]

Proposed base amount is insufficiently funded to pay priority portion of claim filed by Department of Treasury and Insurance Coverage for auto loan with Reliable. Modified base is also insufficiently funded to comply with this case Liquidation Value, determined in \$1,095.00. Minimum base required: \$15,000.00

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this September 24, 2010.

/s/ Jose R. Carrion

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/s/ Jose R. Carrion

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JOSE R. CARRION

CHAPTER 13 TRUSTEE

PO Box 9023884, San Juan, PR 00902-3884

Tel. (787) 977-3535 Fax (787) 977-3550

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